

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF Oregon Portland Division**

**Form 1. Notice of Appeal from a Judgment or Order of a  
United States District Court**

U.S. District Court case number: 3:21-cv-00205-SB

Notice is hereby given that the appellant(s) listed below hereby appeal(s) to the United States Court of Appeals for the Ninth Circuit.

Date case was first filed in U.S. District Court: February 8, 2021

Date of judgment or order you are appealing: February 6, 2023

Docket entry number of judgment or order you are appealing: Dkt. 64, 76, 77

Fee paid for appeal? (*appeal fees are paid at the U.S. District Court*)

Yes  No  IFP was granted by U.S. District Court

**List all Appellants** (*List each party filing the appeal. Do not use "et al." or other abbreviations.*)

Nicholas DeFries

Is this a cross-appeal?  Yes  No

If yes, what is the first appeal case number?

Was there a previous appeal in this case?  Yes  No

If yes, what is the prior appeal case number?

Your mailing address (if pro se):

## Section 1: Introduction

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Prisoner Inmate or A Number (if applicable):

## Signature

Date

*Complete and file with the attached representation statement in the U.S. District Court*

Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT  
**Form 6. Representation Statement**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>*

**Appellant(s)** (List **each** party filing the appeal, do not use "et al." or other abbreviations.)

Name(s) of party/parties:

Nicholas DeFries

Name(s) of counsel (if any):

James H. Kaster and Lucas J. Kaster

Address: 80 S. 8th Street, Suite 4700, Minneapolis, MN 55402

Telephone number(s): 612.256.3200

Email(s): kaster@nka.com; lkaster@nka.com

Is counsel registered for Electronic Filing in the 9th Circuit?  Yes  No

**Appellee(s)** (List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

Union Pacific Railroad Company

Name(s) of counsel (if any):

William H. Walsh and Connor Rowinski

Address: 999 3rd Ave, Suite 1900 Seattle, Washington 98104

Telephone number(s): 206.340.1000

Email(s): wwalsh@cozen.com; crowinski@cozen.com

*To list additional parties and/or counsel, use next page.*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

Continued list of parties and counsel: (*attach additional pages as necessary*)

**Appellants**

Name(s) of party/parties:

Nicholas DeFries

Name(s) of counsel (if any):

Anthony S. Petru and Gavin Barney

Address: 5335 College Ave Suite 5A Oakland, CA 94618

Telephone number(s): 510.451.6732

Email(s): petru@hmnlaw.com; barney@hmnlaw.com

Is counsel registered for Electronic Filing in the 9th Circuit?  Yes  No

**Appellees**

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

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